

July Town Council Meeting

Since the Bugle remains on summer hiatus, here's a special online Council Notes column from Rich Folkers. The Council is still slated to forgo its August meeting, per Garrett Park tradition, so your next update will be in the September Bugle.

The July Town Council meeting was brought to you by the letter V. As in “variance.”

For yet another month, the Council devoted the lion's share of its agenda to the case of a homeowner who had been turned down for a building permit. This time, however, the case was a rerun.

As you may recall, the Council, at its June meeting, considered the case of 4711 Oxford Street. The owners want to slightly expand their front stoop and add a roof, making it more of a porch. Unfortunately, increasing the stoop's dimensions would extend it too far forward, according to Town setback rules. To make matters more difficult, the footprint of the house, carport, and shed currently add up to slightly more lot coverage than the law allows. In that regard, the law doesn't bend. So the application couldn't even come to a vote. The homeowner agreed to continue his application for a month, with the suggestion that he sit down with the Setback Advisory Committee and attempt to find a solution that would make everyone happy.

Fast forward to the July meeting, and the variance request was back... the very same variance request. Reporting for the Setback Advisory Committee, Harry Gordon outlined, in detail, everything you just read in the last paragraph — only much more professionally and with more credibility. Harry also reported that the homeowner had not made contact since June, so there was no solution in sight. With that, it was clear this variance was about to become a two-time turn-down.

Making his case to the Council, the homeowner, Michael Colella, expressed frustration that nothing could be worked out, over what seems to be a simple matter. “I'm not looking for a battle,” he said. “I'm not looking for an argument.” The reason for persistence, he explained, is because an architect working on the case thinks roofing over the existing, small stoop would make it look like a shoebox. And that, Mr. Colella said, means “I am going to contact a lawyer and see what I can do.”

So is it just a matter of inches or a matter of law? Mayor Keller explained that the permissible lot occupancy in Garrett Park, “as a matter of right,” is 18 percent. Beyond that, “you have to make the case for a variance,” which the Council has discretion to

grant — but only up to 20 percent coverage of the lot. And this house is at 20.6 percent. The obvious question, then, is whether the law is wrong or illegitimate. Once again, it may be up to a judge.

On that score, just an idle curiosity: Would it more fun to have this case adjudicated by Judge Judy or Judge Marilyn Milian of “The People’s Court”? If your answer is “Judge Wapner,” you need to get up to speed on today’s courtroom reality shows.

In other business, Mayor Keller reported that he and Councilmember Hans Wegner met recently with Royce Hanson, chair of the Montgomery County Planning Board, concerning the Garrett Park Estates Community Center. It was, said the Mayor, a general meeting, in which all parties agreed to work toward a solution for the building that is home to the Garrett Park Nursery School. The first need, the Mayor said, is basic data on operating, maintenance, and repair costs, in order to frame conversations on what role, if any, the Town should play in preservation of the structure.

As the meeting rolled on, there were other discussions about budget forecasting and the status of street and curb repair. But there was one other item that was, frankly, much more interesting: Garrett Park’s most senior resident, Donal McLaughlin, is turning 101. On Saturday, July 26, the day of his birth, at 5:00 p.m., everyone is invited to a neighborly celebration, at the corner of Weymouth and Oxford Streets. Please come toast our beloved neighbor.